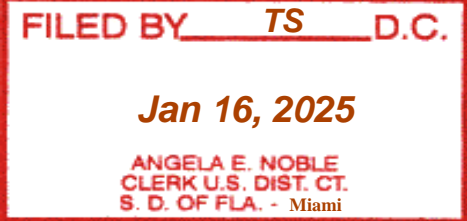


UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

CASE NO. 1:25mj02093 Goodman



UNITED STATES OF AMERICA

v.

CHENGZHE WANG,

Defendant.

_____ /

CRIMINAL COVER SHEET

1. Did this matter originate from a matter pending in the Central Region of the United States Attorney's Office prior to October 3, 2019 (Mag. Judge Jared M. Strauss)? No
2. Did this matter involve the participation of or consultation with Magistrate Judge Eduardo I. Sanchez during his tenure at the U.S. Attorney's Office, which concluded on January 22, 2023? No
3. Did this matter involve the participation of or consultation with Magistrate Judge Marty Fulgueira Elfenbein during her tenure at the U.S. Attorney's Office, which concluded on March 5, 2024? No
4. Did this matter involve the participation of or consultation with Magistrate Judge Ellen F. D'Angelo during her tenure at the U.S. Attorney's Office, which concluded on October 7, 2024? No

Respectfully submitted,

MARKENZY LAPOINTE
UNITED STATES ATTORNEY

By: /s/Michael Thakur
Michael Thakur
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AO 91 (Rev. 08/09) Criminal Complaint

UNITED STATES DISTRICT COURT

for the
Southern District of Florida

United States of America

v.

Chengzhe Wang,

Case No. 1:25mj02093 Goodman

Defendant.

CRIMINAL COMPLAINT BY TELEPHONE OR OTHER RELIABLE ELECTRONIC MEANS

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of January 15, 2025 in the county of Miami-Dade in the
Southern District of Florida, the defendant(s) violated:

Code Section

18 U.S.C. § 1001(a)(2)

Offense Description

Material false statements

This criminal complaint is based on these facts:

See attached affidavit.

☒ Continued on the attached sheet.

Complainant's signature

Nolan Gallow, Special Agent FBI

Printed name and title

Attested to by the Applicant in accordance with the requirements of Fed.R.Crim.P. 4.1 by Face Time

Date: 1/16/25

Judge's signature

City and state: Miami, Florida

Honorable Jonathan Goodman, Chief United States Magistrate Judge

Printed name and title

AFFIDAVIT IN SUPPORT OF CRIMINAL COMPLAINT

I, Nolan Gallow, being first duly sworn, hereby depose and state:

INTRODUCTION AND AGENT BACKGROUND

1. I am a Special Agent with the Federal Bureau of Investigation (the “FBI”) and have been since January 2021. I am currently assigned to the Counterintelligence Division of the FBI’s Miami Division. My duties involve investigating violations of federal law, including investigating materially false, fictitious, or fraudulent statements made to officials of the United States government.

2. I make this Affidavit in support of a criminal complaint charging Chengzhe Wang (“WANG”) with knowingly making a materially false, fictitious, or fraudulent statement or representation in a matter within the jurisdiction of the executive branch of Government of the United States, in violation of Title 18, United States Code, Section 1001(a)(2).

3. Specifically, on or about January 14, 2025 and continuing through January 15, 2025, WANG provided materially false statements to officers of the United States Customs and Border Protection (“CBP”) concerning: WANG’s (1) employment with a company that is owned by the government of China (“China” or the “PRC”); (2) active membership with an organization that is affiliated with the PRC government; and (3) purpose of a prior trip to the United States.

4. I submit this Affidavit based on my personal knowledge as well as information provided to me by other law enforcement officers, an interview of WANG, and my review of records and other evidence obtained during this investigation. I have participated in this investigation along with other FBI Special Agents and investigators from CBP. Because this Affidavit is being submitted for the limited purpose of establishing probable cause that WANG has violated 18 U.S.C. § 1001(a)(2), I have not included every fact known to me concerning this

investigation. Rather, I have set forth only those facts which I believe are necessary to establish probable cause to obtain a criminal complaint.

PROBABLE CAUSE

5. WANG is a 29-year-old male born in the People's Republic of China. WANG maintains an unexpired passport issued by the PRC.

6. On January 14, 2025, WANG arrived at Miami International Airport ("MIA") on an international flight from Mexico City, Mexico. WANG intended to then board a subsequent flight that same day leaving MIA for Nicaragua.

7. Previously, in June 2023, the United States Government received a tip from an email account the identity of which is known to the FBI (the "Tip"). The Tip stated, among other things, that "people from Xugong Group provided false application materials to apply for a US visa to go to the United States to conduct illegal activities, such as illegally spying on intelligence, illegally obtaining confidential technology in the same industry." The Tip further provided that these persons "received training from China's Security Intelligence Agency on how to provide false information to deceive US customs to enter the country, how to obtain intelligence in the US."

8. The Tip then identified, among other persons, WANG as a member of the Xugong Group. Specifically, the Tip identified WANG as an Overseas Product Manager with XCMG Construction Machinery Co., Ltd. ("XCMG") Earthmoving Machinery Division.¹

9. The Tip further identified WANG by his PRC passport number, which matched the number on the passport provided by WANG to CBP on January 14, 2025.

¹ Open-source research suggests that XCMG is involved in technology development, manufacturing, and distribution heavy machinery in China. Additionally, XCMG was initially founded to produce ammunition, firearm, grenades and landmines for the People's Liberation Army, the military arm of the PRC government.

10. Because of the information contained in the Tip, CBP Officers selected WANG for a routine secondary examination and interviewed him. During that interview, WANG told CBP Officers that he had no connections to any foreign government, including the PRC government. In addition, WANG stated that he was not a member of any Chinese Communist Party (“CCP”) organizations.

11. CBP Officers also questioned WANG about a prior trip WANG had made to Dallas, Texas on September 1, 2023. WANG stated that he made this trip for a vacation and to meet a personal friend WANG had in Dallas.

12. WANG’s statements about his connection to a foreign government, affiliation with the CCP, and purpose of his 2023 trip to Dallas were materially false.

13. During a basic search of WANG’s electronics, including his cellular phone, CBP Officers discovered a photograph of a badge or credential holder with a seal and wording in Mandarin Chinese inscribing “Administrative Law Enforcement.” Based on my training and experience, this photograph appears to depict an official credential or badge case likely for use by PRC law enforcement or some other PRC government agency. Additionally, CBP Officers discovered a photograph on WANG’s cellular phone of a lapel pin bearing a red PRC flag with a Mandarin Chinese inscription. Open-source research has revealed that this pin denotes membership in the Chinese Communist Youth League, a CCP organization.

14. Following these findings, CBP Officers initiated a second interview of WANG. During this interview, WANG admitted that XCMG was owned by the PRC government, contradicting his previous statements that WANG had no connections to any foreign government, including the PRC government. In addition, WANG admitted to active membership in the Chinese Communist Youth League, a CCP organization. When asked why WANG initially lied to CBP

Officers, WANG stated that he initially denied any current association with the Youth League because officials at XCMG advised him not to disclose membership to U.S. authorities.

15. Finally, CBP Officers also reviewed CBP records of WANG's September 1, 2023 trip to Dallas. At the time of that trip, WANG advised other CBP Officers at passport control that he was entering the United States for business purposes and to visit warehouses controlled by XCMG in Houston, Texas. This statement contradicted WANG's previous statement that his 2023 trip was for a vacation.

16. Following the subsequent interview, CBP Officers obtained a typed statement, each page of which WANG signed in his handwriting. In response to the question "[w]hy were you not truthful[] about XCMG being owned by the Chinese Communist Party government," WANG answered "[b]ecause my company does not allow us to show the company's relationship with the Chinese government."

17. The signed statement further provided that when asked "Is the Communist Youth League of China part of the Chinese Communist Party government," WANG responded, "Yes."

18. I also learned from CBP Officers that during their basic search of WANG's electronic devices, CBP Officers discovered at least one PDF document shared by WANG in a WeChat message with an unknown third party.² That PDF document contained 47 pages of schematics, graphs, and diagrams related to nuclear weapons research. The PDF document contained text only in Mandarin Chinese. An initial translation of the PDF document revealed the title as "Atomic Bomb."

² WeChat is a Chinese instant messaging and social media application.

19. When asked by CBP Officers to explain the PDF document, WANG stated he shared it because he “thought it contained porn pictures.” When asked further by CBP Officers whether the PDF document contained pornography, WANG responded “No.”³

20. Based on my training and experience and that of other FBI Agents and law enforcement officers, there is a reasonable belief that a foreign national such as WANG cannot obtain documents concerning nuclear weapons research, design, or schematics without some connection with or employment by a foreign government—such as the PRC government.

CONCLUSION

21. Based upon the foregoing, your Affiant submits that there is probable cause to believe that WANG did knowingly make a materially false, fictitious, or fraudulent statement or representation in a matter within the jurisdiction of the executive branch of Government of the United States in violation in violation of Title 18, United States Code, Section 1001(a)(2).

FURTHER AFFIANT SAYETH NAUGHT.



NOLAN GALLOW
SPECIAL AGENT
FEDERAL BUREAU OF INVESTIGATION

Attested to by the applicant in accordance with the requirements of Fed.R.Crim.P. 4.1
by Face Time this 16 day of January 2025.



HONORABLE JONATHAN GOODMAN
CHIEF UNITED STATES MAGISTRATE JUDGE

3 CBP Officers have reviewed the PDF document in its entirety and determined that the PDF document does not contain any pornography.